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11 Attorneys for Defendants  
12 RED HAT, INC. and  
13 RED HAT MIDDLEWARE, LLC  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

15 FIRESTAR SOFTWARE, INC.,

16 Plaintiff,

17 v.

18 RED HAT, INC., et al.,

19 Defendants.  
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Case No. C 07-80204 MISC MMC (EMC)

**STIPULATION AND [PROPOSED]  
ORDER RESCHEDULING HEARING  
ON THOUGHT, INC.'S MOTION TO  
QUASH THIRD PARTY SUBPOENA, OR  
IN THE ALTERNATIVE, FOR A  
PROTECTIVE ORDER**

1 The Parties hereby stipulate that the hearing on Thought, Inc.'s motion to quash third party  
2 subpoena, or in the alternative, for a protective order be rescheduled to November 28, 2007, at 10:30  
3 a.m.

4 Dated: October 24, 2007

Respectfully submitted,

5 HARVEY SISKIND LLP

6 By: 

7 Seth I. Appel

8 Attorneys for Defendants  
9 RED HAT, INC. and RED HAT MIDDLEWARE, LLC.

10 JOHN JASON GENTRY MULLINS

11 By: 

12 John Jason Gentry Mullins

13 Attorneys for Third Party  
14 THOUGHT, INC.

15  
16 **[PROPOSED] ORDER**

17 The Parties have stipulated that the hearing on Thought, Inc.'s motion to quash third party  
18 subpoena, or in the alternative, for a protective order be rescheduled to November 28, 2007, at 10:30  
19 a.m.

20 Good cause appearing therefore:

21 IT IS SO ORDERED.

22 Dated:

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24 The Honorable Edward M. Chen  
25 United States District Court Judge  
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